

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 19-CR-227 (JLS)(MJR)

JOSEPH BONGIOVANNI,
PETER GERACE, JR.,

Defendants.

NOTICE OF MOTION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 23-CR-37 (JLS)(MJR)

PETER GERACE, JR.,

Defendant.

S I R S :

PLEASE TAKE NOTICE that the undersigned will move this Court, at a date and time to be determined by this Court, for the following relief:

- (1) An order sealing the defense motion for reconsideration of the District Court's Decision and Order denying defendant Gerace's motion to suppress the results of the execution of search warrants at defendant's home and business; and
- (2) Such other and further relief as the Court deems proper.

DATED: June 6, 2023
Buffalo, New York

Respectfully submitted,

/s/ Joseph M. LaTona

JOSEPH M. LaTONA

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Attorney for Defendant,
PETER GERACE, JR.

TO: TRINI E. ROSS, ESQ.
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Western District of New York
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Assistant United States Attorneys

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UNITED STATES OF AMERICA,

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Defendant.

STATE OF NEW YORK)
COUNTY OF ERIE) ss:
CITY OF BUFFALO)

JOSEPH M. LaTONA, being duly sworn, deposes and says:

1. Deponent represents defendant Peter Gerace, Jr. in connection with pre-trial proceedings in this case.

2. It is requested that the defense motion for reconsideration of the District Court's Decision and Order denying defendant Gerace's motion to suppress the results of the execution of search warrants at defendant's home and business be filed under seal.

3. This request is designed to insure that matters encompassed by the Protective Order are not publicly disclosed.

WHEREFORE, deponent respectfully requests that this Court grant the relief sought in the annexed Notice of Motion, together with such other and further relief as the Court deems proper.

/s/ Joseph M. LaTona
JOSEPH M. LaTONA

Sworn to before me this
6th day of June, 2023.

/s/ Sandra Lee Wright

Notary Public

SANDRA LEE WRIGHT
Notary Public, State of New York
Qualified in Erie County
My Commission Expires October 29, 2026

CERTIFICATE OF SERVICE

I hereby certify that on June 6, 2023 I electronically filed the preceding Notice of Motion and supporting Affidavit with the Clerk of the District Court using the CM/ECF system, which sent notification of such filing to the following:

**Joseph M. Tripi, Esq.
David J. Rudroff, Esq.
Nicholas Cooper, Esq.
Elizabeth M. Palma, Esq.
Jordan Alan Dickson, Esq.
Assistant United States Attorneys**

Defense Counsel

I further hereby certify that I have mailed by United States Postal Service said document to the following non-CM/ECF participants:

None

/s/ Sandra Lee Wright
SANDRA LEE WRIGHT